

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DAVID HANNINGTON,

Plaintiff,

v.

SUNLIFE AND HEALTH
INSURANCE COMPANY,

Defendantt.

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Civil No. 1:10-cv-00431-NT

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on October 14, 2011 her Recommended Decision (Docket No. 31). The Defendant filed its Objections to the Recommended Decision (Docket No. 32) on October 28, 2012. Plaintiff filed his Response to the Defendant's objections (Docket No. 33) on November 14, 2011.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Plaintiff's Motion for Judgment (Docket No. 18) is GRANTED.
3. It is further ORDERED that the Defendant's Motion for Judgment is DENIED.

4. It is further ORDERED that the Defendant pay past and future benefits to the Plaintiff without any offset for the Plaintiff's receipt of service-connected disability benefits.

SO ORDERED.

/s/ Nancy Torresen
NANCY TORRESEN
UNITED STATES DISTRICT JUDGE

Dated this 15th day of December, 2011